

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Frank J. KOCH et al.

Application No.: 09/542,640

Filed: April 3, 2000

For: COATING THICKNESS GAUGE



) ATTN: Office of Petitions

) Group Art Unit: Unassigned

) Examiner: Unassigned

#5

PETITION

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reissue Application mailed May 10, 2000, Applicants respectfully petition the U.S. Patent and Trademark Office to accord a filing date for the above-identified Reissue Application.

In that Notice, a newly executed oath or declaration covering the items is indicated as being required. Enclosed is a Declaration Under 37 C.F.R. § 1.75(a) and Power of Attorney executed by the inventors and an Assent of Assignee and Offer to Surrender. These submissions meet the requirement for a newly executed oath or declaration.

The Notice also indicated that the application was deposited without drawings and further states that "any assertions that the item(s) required were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions." Enclosed is a copy of the Transmittal Letter for Reissue Application, Request for Transfer of Formal Drawings and date-stamped receipt post card indicating

receipt by the U.S. Patent and Trademark Office. It is therefore submitted that this requirement was met when the application was filed on April 3, 2000.

A petition fee of \$130.00 as required by 37 C.F.R. § 1.17(i) is enclosed. The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Ronald L. Grudziecki
Ronald L. Grudziecki
Registration No. 24,970

P.O. Box 1404
Alexandria, Virginia 22313-1404
(703) 836-6620

Date: June 5, 2000